

Magistrate Judge Brian A. Tsuchida

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

IN THE MATTER OF ) MS 15-362  
THE EXTRADITION OF ) [PROPOSED]  
JASON STEADMAN. ) CERTIFICATION AND COMMITTAL  
 ) FOR EXTRADITION

Having held an extradition hearing on July 28, 2016, and after considering the evidence, in particular, the certified and authenticated documents submitted by the Government of Canada, and the pleadings and the arguments of both counsel, the Court finds and certifies to the Secretary of State as follows:

(1) This Court has jurisdiction over, and the undersigned is authorized to conduct, extradition proceedings pursuant to Title 18 U.S.C. 3184 and Local Rule MJR 1.(c);

(2) This Court has personal jurisdiction over JASON STEADMAN, previously known as Stephen/Rory Preston and also known as Robert Aubrey-Maxwell, ("Fugitive"), found in the United States and arrested on this matter on June 10, 2016, in this District pursuant to a complaint filed by the United States in response to the request of Government

CERTIFICATION AND COMMITTAL  
FOR EXTRADITION/STEADMAN  
MS15-562- 1

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1 of Canada for the arrest and extradition of the Fugitive;

2       (3) The extradition treaty between the United States and the Government of Canada,

3 of December 3, 1971, which entered into force on March 22, 1976 (the 1971 treaty), (TIAS

4 8237; 27 U.S.T. 983); the Protocol Amending the Extradition Treaty with Canada of January

5 11, 1988, which entered into force on November 26, 1991 (the 1988 Protocol)(S. TREATY

6 DOC. NO. 101-17 (1990)); and the Second Protocol Amending the Extradition Treaty with

7 Canada of January 12, 2001,which entered into force on April 30, 2003 (the 2001 Protocol)

8 (S. TREATY DOC. NO. 107-11 (2002)) was in full force and effect at all times relevant to

9 this action;

10                 (4) The JASON STEADMAN, previously known as Stephen/Rory Preston and

11 also known as Robert Aubrey-Maxwell, sought by the Canadian authorities and the JASON

12 STEADMAN arrested in this District for extradition and brought before this Court are one

13 and the same person;

14                 (5) The Fugitive has been charged in Canada with (1) First Degree Murder, in

15 violation of § 235(1) of the Criminal Code of Canada, and (2) Arson, in violation of § 434 of

16 the Criminal Code of Canada. The Government of Canada has jurisdiction over this criminal

17 conduct;

18                 (6) The above referenced Treaty and the Protocols between the United States and

19 Canada, pursuant to Article 2 of the Treaty, as replaced by Article I of the 1988 Protocol,

20 encompasses the offenses for which the Fugitive has been charged and for which extradition

21 is sought for trial;

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1  
2       (7) The Government of Canada submitted documents that were properly  
3 authenticated and certified in accordance with the terms of the Treaty and its Protocols.  
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5 Those documents include the pertinent text for the crimes with which the Fugitive has been  
6 charged;

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8       (8) There is probable cause to believe that the Fugitive before this Court, the same  
9 person identified in the extradition request from the Government of Canada, committed the  
10 offenses for which extradition is sought;

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12       (9) The evidence before this Court is sufficient to justify the Fugitive's committal for  
13 trial on felony charges, had the offenses with which he is accused of having committed  
14 occurred in the United States. This finding rests upon the documents submitted by the  
15 Government of Canada in this matter, including the facts in the Affidavit of Facts of Rob  
16 Bilawey, incorporated by this reference, which set forth:

17           a. the violent homicide of Dwayne Demkiw (paragraphs 1 - 13, 64 and 65, 79 -87);  
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19           b. the arson which was an attempted destruction of evidence of the homicide  
20 (paragraphs 23 – 27, 37, 64 - 65).

21           c. the identification of the Fugitive's DNA at the apparent homicide scene  
22 (paragraphs 15 and 16, 30, 59-60, 73, 76-77); and

23           d. the identification of the Fugitive as the person committing arson and attempting to  
24 destroy evidence of the homicide (paragraphs 23 -24, 27, 35 – 36, 39 - 42, 61 – 62, 70 – 73,  
25 75);

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1 THEREFORE, pursuant to 18 U.S.C. § 3184, the above findings, I certify the  
2 extradition of the Fugitive, JASON STEADMAN, to Canada, on all offenses for which  
3 extradition was requested, and commit the Fugitive to the custody of the United States  
4 Marshal pending further decision on extradition and surrender by the Secretary of State  
5 pursuant to 18 U.S.C. § 3186.

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7 I further order that the Clerk of this Court forward a certified copy of this  
8 Certification and Committal for Extradition, together with a copy of the evidence presented  
9 in this case, including the formal extradition documents received in evidence and any  
10 testimony received in this case, to the Secretary of State.  
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13 DATED this 28 day of July, 2016.



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16 BRIAN A. TSUCHIDA  
17 UNITED STATES MAGISTRATE JUDGE  
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Presented by:



SUSAN M. ROE  
Assistant U.S. Attorney

CERTIFICATION AND COMMITTAL  
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MS15-562-4

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